

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

CURT ADKISSON, §  
Plaintiff, §  
v. § Case No. 6:23-cv-146-JDK  
SAFECO INSURANCE COMPANY OF §  
INDIANA, §  
Defendant. §

**ORDER ADOPTING THE REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

Before the Court is Defendant Safeco Insurance Company of Indiana's motion to limit Plaintiffs' claim for attorney's fees. Docket No. 7. The Court referred the motion to United States Magistrate Judge K. Nicole Mitchell. Docket No. 14. On August 1, 2024, Judge Mitchell issued a Report recommending that the Court grant the motion and deny any claim by Plaintiff Curt Adkisson for attorney's fees incurred after March 27, 2023. Docket No. 20. No written objections have been filed.

This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of service of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), superseded on other grounds by statute, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Here, neither party objected in the prescribed period. The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews the legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law").

Having reviewed the Magistrate Judge's Report and the record in this case, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Docket No. 20) as the findings of this Court. Defendant's motion to limit Plaintiffs' claim for attorney's fees (Docket No. 7) is **GRANTED** and any claim by Plaintiff for attorney's fees incurred after March 27, 2023 is **DENIED**.

So **ORDERED** and **SIGNED** this 24th day of August, 2023.



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JEREMY D. KERNODLE  
UNITED STATES DISTRICT JUDGE